CONFERENCE ON DISARMAMENT

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FINAL RECORD OF THE SIX HUNDRED AND TWENTY-SEVENTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 23 July 1992, at 10 a.m.

President: Mr. Paul O'Sullivan (Australia)

GE.92-62404/4716B

The PRESIDENT: I declare open the 627th plenary meeting of the Conference on Disarmament.

I wish to recall that today, immediately following the plenary meeting, the Conference will hold its last informal meeting on the substance of agenda item 2, entitled "Cessation of the nuclear arms race and nuclear disarmament". In addition, as I announced at the informal meeting last Tuesday, we will take up those sections of the annual report which are still pending in informal open-ended consultations to be held in this conference room, with interpretation services.

I have on my list of speakers for today the representatives of Mexico, the United States of America, the United Kingdom, Sweden and the Republic of Korea. I now give the floor to the representative of Mexico, Ambassador Marin Bosch.

Mr. MARIN BOSCH (Mexico) (translated from Spanish): Mr. President, we congratulate you on the way you have been guiding the course of our work. Since your country joined this Conference, it has worked hard to help achieve the goals the international community set itself for disarmament in 1978, which are reflected in our agenda and work programme. This year Australia has continued that tradition, for which we are grateful to you, to the other members of your delegation and to your Government. Your task as President has been facilitated by your immediate predecessors. We welcome Ambassador Goonetilleke and offer our best wishes to him and to his predecessor Ambassador Rasaputram, and also to Ambassador Calovski and Ambassador Králik.

A few months ago we had occasion to take stock of the Conference's work on its thirtieth anniversary. The year 1992 is in fact one in which various important anniversaries are being celebrated. We hope that in the future it will also be remembered as the year in which we finally concluded the Convention on Chemical Weapons. We likewise cherish the hope that we shall be able to avoid its being remembered as the year in which this Conference came to an abrupt end.

In this statement the delegation of Mexico would like to take up two closely linked subjects: the negotiations on the elimination of chemical weapons and the future of the Conference itself. We are coming to the end of a very long road in our work on chemical weapons, and the question marks that this raises for the Conference on Disarmament are real ones and call for clear answers.

Since 1989, following the Paris and Canberra conferences, the international community has been stressing the need for a multilateral instrument on the complete prohibition of chemical weapons. Today, three years later, the Conference on Disarmament can feel satisfied with the advances made in the last few years, regardless of the ups and downs in the negotiations in recent times.

(Mr. Marín Bosch, Mexico)

Nobody can deny the impetus that was given to the negotiations in May last year when the United States Government announced that it was willing to complete "the chemical weapons convention within the next 12 months" (CD/PV.591, 16 May 1991). However, it has to be remembered that just under a year earlier the bilateral agreement between the United States and the then Soviet Union had become an obstacle to the progress of multilateral negotiations. It was completely unacceptable for many countries that the main possessors of chemical weapons should reserve the right to keep 2 per cent of their stocks until all possible possessors of such weapons acceded to the Convention.

This year, in pursuance of United Nations General Assembly resolution 46/35C, the Conference on Disarmament decided to further mandate the Ad Hoc Committee "to intensify, as a priority task, the negotiations on a multilateral convention on the complete and effective prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction with the view to striving to achieve a final agreement on the convention by 1992".

Under the determined chairmanship of Ambassador von Wagner the Ad Hoc Committee has been given a series of electric shocks. To begin with, the work was organized in a new way: on the one hand, each specific question was subjected to more intensive consideration, and on the other, the membership of the Committee's bureau was significantly increased, thus enabling more delegations to participate in the direction of its work.

Shortly afterwards, Australia's initiative in submitting a draft Convention administered the strongest shock of all. This led us to realize that after years of negotiations, and regardless of the many square brackets and footnotes in the so-called "rolling text", there was a whole range of agreements and understandings which suggested that a prompt conclusion to the negotiations was in sight. Accordingly, the Chairman of the Committee was requested to prepare a document during the intersessional period which would serve as a basis for what was called a final negotiating stage.

Between 18 May and 22 June, the dates on which working paper CD/CW/WP.400 and CD/CW/WP.400/Rev.1 were submitted, the Ad Hoc Committee held meetings that were tantamount to forced marches. Delegations set about a painstaking study of the outstanding questions, and a group of delegations from developing countries submitted a series of formal proposals, with a view to arriving at compromise solutions which would meet the interests of the different groups of countries, and not just the members of one group in particular.

The text prepared by the Chairman of the Committee at the end of this period of intense negotiations, contained in working paper CD/CW/WP.400/Rev.1, represents an important step forward on the way to the conclusion of the draft Convention which this Conference is to submit to the United Nations General Assembly at its forty-seventh session.

(Mr. Marín Bosch, Mexico)

The Mexican Government, like others, undertook a thorough study of the draft Convention during the intersessional period. It is worth noting here that since last February my country's Ministry of Foreign Affairs has convened an interministerial group which, with the participation of representatives of the Mexican chemical industry, has considered the various questions relating to the possible application of the future Convention at the national level.

Mexico has always been greatly interested in the prohibition of all weapons of mass destruction, including chemical weapons. This is demonstrated both by its accession without reservations to the 1925 Geneva Protocol and by the statement it made on signing the Convention on Biological Weapons in 1972.

We welcome the fact that there is at last general agreement on the need for a complete prohibition of chemical weapons, as embodied in working paper CD/CW/WP.400/Rev.1. The Government of Mexico considers that with a minimum of adjustments and clarification of certain points, the Conference on Disarmament would be able to submit a consensus text for approval by the United Nations General Assembly this autumn. We are encouraged by Ambassador von Wagner's attitude when he tells us that his working paper is a text that is open to improvement.

To reach a consensus we shall have to consider the various changes proposed with all due care. For example, let us aim for greater precision in article II, entitled "Definitions and Criteria", since it will be a key element in future interpretations. We are concerned in particular with the definition of "Purposes not prohibited under this Convention". We consider that paragraph 9(d) should say, in English: "Domestic law enforcement and riot control purposes". (We are proposing this form of words in English because we realize that the greatest care will have to be taken with the translation.)

Although Mexico will not be affected by the obligation to destroy chemical weapons and their production facilities - since we have never possessed them - our Government considers that the provisions in question constitute the key to the multilateral security agreement we are negotiating. Any delay in complying with these provisions could be fraught with grave implications not just for the security of the States Parties, but for international peace and security.

Obviously we know the problems that could face some States which have chemical weapons. Nevertheless, we consider that the period for their destruction should be kept at 10 years and that only if in highly exceptional circumstances some State Party is unable to meet that deadline should a decision be taken on the subject by the Conference of States Parties. We are also unable to accept the idea that if a State is slow to destroy its stockpiles, other States with chemical weapons should not be obliged to abide by the deadline.

Accordingly, consideration should be given to a series of amendments to Part IV (A) of the Verification Annex. In particular the appropriate

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modifications should be made so that any decision on the subject will be adopted by the Conference of States Parties. In addition, the last sentence of paragraph 21 should be deleted.

The Organization for the Prohibition of Chemical Weapons to be set up in accordance with article VIII will be the machinery through which the States Parties will seek "to ensure the implementation of its provisions, including those for international verification of compliance with it".

As intergovernmental bodies, the Conference of States Parties and the Executive Council will provide the framework for consultations and collaboration among States Parties. Although both these bodies ought to have machinery for taking decisions with all due dispatch, the Executive Council, in view of the important powers and functions assigned to it, must be in a position to take decisions quickly. It therefore seems odd to the Mexican Government that a two-thirds majority of all members should be required in order to decide whether a question is or is not a matter of substance. In other multilateral forums and agencies, such decisions are taken by a simple majority. For that reason, the last sentence of paragraph 29 of article VIII should be deleted, and it should be left to the Preparatory Commission to formulate this provision in the draft rules of procedure of the Executive Council to be approved by the Conference of States Parties.

Finally, article XI is of particular importance for Mexico, as for other developing countries. We hope that the entry into force of the Convention will lead to controls on exports to States Parties being lifted and not legitimized. In order to avoid future problems of interpretation, the references to possible inconsistencies with the object and purpose of the Convention in paragraph 2 (c), (d) and (e) should be deleted.

Like many others, we should like to amend working paper CD/CW/WP.400/Rev.1 still further. However, we are convinced that we ought to take advantage of the present opportunity in the Conference and conclude a Convention as soon as possible. We cherish the hope that all countries - including those that have already indicated their acceptance of the present contents of working paper CD/CW/WP.400/Rev.1 - will seriously consider the amendments proposed over the next few days. It is obvious that the way in which part of the text of document CD/CW/WP.400/Rev.1 was "negotiated" has led to some confusion. Various delegations have said that they have already made all the concessions they can and that the document will therefore have to be accepted as it stands. These delegations have some reason on their side, but they are forgetting that these "concessions" were only made in relation to a certain number of delegations and not to all the other members of the Conference. The future Convention should be for everyone, and everyone should be in a position to endorse its contents before it goes to the General Assembly.

The conclusion of a Convention that will be universally accepted has been one of the aims of this Conference. Now, by trying too hard to end up with a particular text which has the support of many but not all, we are running the risk that the future Convention will not win this universal acceptance.

(Mr. Marín Bosch, Mexico)

We are thus concerned to hear some delegates say that none of the multilateral instruments that have emerged from this Conference has been the subject of a consensus among its members but that they have nevertheless gone to the General Assembly, which has endorsed them. It will be remembered that this Conference has produced five instruments: the 1963 partial test-ban Treaty, the 1968 non-proliferation Treaty, the 1970 seabed Treaty, the 1972 Convention on Biological Weapons and the 1976 ENMOD Convention. The first, that is, the partial test-ban Treaty, was negotiated trilaterally in Moscow, and then slightly "improved" by the then ENDC. The second and third were negotiated here in Geneva on the basis of identical texts submitted by the United States and the Soviet Union respectively and "improved" a little under pressure from the General Assembly. So far the ENDC. Then, in the CCD, it was decided to separate biological weapons from chemical ones, and a Convention was concluded on the basis of identical drafts submitted by the United States and the Soviet Union. In 1976, once again, the United States and the Soviet Union submitted identical drafts, which became the ENMOD Convention. In the case of this last instrument and the NPT there was no consensus. In the other three cases, there was. The ENDC and the CCD were co-chaired by the representatives of the then two super-Powers, and, consequently, when they reached agreement, that agreement was "accepted" by all or practically all the other members, beginning with their military allies.

It was precisely in order to avoid a repetition of this kind of situation and to secure the participation of China, France and other countries that it was decided to establish a more democratic forum in the Conference on Disarmament, which would not have co-presidents but would have a consensus rule.

Everyone knows our view on consensus. We never insisted that it should apply in the Conference. But others did, and this is the rule that has prevailed for 14 years, and the rule that has been invoked by one delegation or another to avoid the establishment of committees on various subjects or to make sure that they are not negotiated on. It would seem, however, that respect for the consensus rule has been eroded. I only hope we are wrong.

Those are my Government's comments on the status of the negotiations on chemical weapons.

We should now like to turn briefly to the question of what will happen in the Conference on Disarmament once the Convention is concluded. In other words, will there be any life in the Conference after chemical weapons? The answer to this question - which many of us have been trying to answer for some years - holds the key to the Conference's future.

It is understandable that in a last intense collective effort the members of the Conference should have concentrated primarily, in some cases exclusively, on the negotiations on chemical weapons. In doing so, however, they have left aside some of the questions on our agenda, beginning with nuclear disarmament, and more particularly the complete cessation of nuclear

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tests. In point of fact, this year's report by the Conference to the General Assembly, apart from the chapter on chemical weapons, will be more discouraging than in previous years. On none of the other seven items has there been any progress, and in some cases it could even be said that ground has been lost. To put it another way, while prompt conclusion of the Convention on Chemical Weapons will undoubtedly be clear evidence of the Conference's robust state of health, the situation with regard to the other items on our agenda points towards a highly pessimistic diagnosis. The bells that will no doubt ring out when the Convention on chemical weapons is concluded could end up sending another signal. They could be sounding the death-knell of the Conference itself.

What can we do about this situation, which can only get worse in 1993, when we shall be sitting round this table with an agenda that no longer includes chemical weapons? Various suggestions have been put forward, some innovative, some less so. For some delegations, what needs to be done is to shut down this Conference as fast as possible. Those delegates who have become experts on chemical weapons may choose to move to The Hague. Others will go off to other cities, to other business.

For other delegations, including mine, the Conference ought to go on disposing of its agenda, redoubling its efforts, especially on nuclear subjects. It has also been suggested that we should find other subjects and add them to our agenda. My delegation made a proposal along those lines and has had informal consultations on it. And my delegation also proposed that periodically the current President or the Secretary-General of the Conference should convene heads of delegations to discuss, without documents, without records and without interpreters, those questions considered to be of general interest. There is no need to say that the future of our work and the fate of the Conference itself represent the core of those "questions of general interest".

The PRESIDENT: I thank the representative of Mexico for his statement and for the kind words he addressed to the Chair.

I wish to note at this stage the presence among us of the new representative of Sri Lanka, Ambassador Bernard Gonnetilleke, who is assuming his responsabilities as representative to this Conference. In extending to him a warm welcome, on behalf of the Conference and on my own behalf and on behalf of the Australian delegation, I should like to assure him of the close cooperation of my own delegation and all Members here and we will be most ready to assist him in the performance of his functions. You are most welcome.

I now give the floor to the representative of the United States of America, Ambassador Ledogar.

Mr. LEDOGAR (United States of America): Mr. President, in June, I already had the opportunit to congratulate you on your assumption of the leadership of this body and to praise the achievements of your predecessor, Ambassador García Moritán. I would, however, like to join you in greeting and expressing welcome to our new Sri Lankan colleague, Ambassador Gonnetilleke.

(Mr. Ledogar, United States)

Long ago, in a far different international environment than prevails today, this Conference began work on a convention to eliminate chemical weapons from the face of the earth. The effort has been uneven and - most of us would agree - far too slow, despite the guidance of dedicated and gifted ad hoc committee chairmen and the hard work of delegations. We all have our own views on the reasons for the CW Convention's long gestation period. That is not the question, however, today. Now, under the leadership of our distinguished colleague Ambassador von Wagner of Germany, we have an excellent chance of finishing this work and opening the CW Convention for signature by the entire community of nations. This will be the first great achievement of this unique multilateral arms control and disarmament negotiating body.

Some time during the next two weeks, each participant and observer in our Conference must decide whether it can accept the Chairman's draft final text.

Let me say, on behalf of the United States of America, that our answer to this question is "yes".

We can accept the draft Convention text contained in document CD/CW/WP.400/Rev.1 in its entirety. Our decision was not reached easily. In many important respects United States preferred positions have been substantially watered down or are completely absent. For example, the text before us does not allow a State that is attacked with CW to retaliate with chemical weapons even though it still has stockpiles available, nor can a State retain a small security CW stockpile until all CW-capable States have joined the treaty. Furthermore, the text does not provide for automatic initiation of a challenge inspection whenever a request is made, nor is the presence of observers from the requesting State assured. The text does not reflect the United States position that there should be limits on the number of challenge inspections a State must receive each year, that trade restrictions should be applied against non-parties, and that the responsibility for destruction of any chemical weapons whatever on a State's territory should rest entirely on that State.

I could go on and on with a long list of specific areas where the text does not reflect our preferred positions. In some of these cases the United States has made concessions to facilitate progress. In fact, we have made a whole series of concessions over the last several years. In other cases the Chairman of the Ad Hoc Committee, Ambassador von Wagner, has proposed a different approach to resolve a controversial issue where positions had not been reconciled after long debate.

The fact is that the text before the Ad Hoc Committee reflects a fragile and painfully achieved balance among many different positions and many different issues. While we would prefer different provisions in many areas of the text, we have decided after close study that a certain sacrifice on our part is necessary to achieve broad-based agreement, and that the remaining balance adequately protects our security interests.

(Mr. Ledogar, United States)

The Ad Hoc Committee has debated the controversial issues at length. I doubt that going through any of them again will result in a better array of compromises. On the contrary, opening up a controversial issue could well disrupt the fragile balance of interests and positions as States again try to tilt the balance in their direction. If this happens, I can promise you that the United States will put forward its own preferred positions on several critical issues. But I am also aware that renewed debate on controversial issues could mean failure to finish the Convention this year.

However, the United States does not rule out further changes to the text. We are prepared to consider seriously proposals from delegations on points they consider fundamental to their interests. But we fully endorse Ambassador von Wagner's position that changes to the draft can only be made by consensus. We know of no other way to achieve a text that all delegations can support.

The PRESIDENT: I thank the representative of the United States of America for his statement and I now give the floor to the representative of the United Kingdom, Ambassador Sir Michael Weston.

Sir Michael WESTON (United Kingdom of Great Britain and Northern Ireland): Mr. President, at the outset, let me congratulate you on Australia's assumption of the Presidency of the Conference on Disarmament for the current month. It is particularly fitting that a country which has contributed so much to the negotiations on the chemical weapons Convention should be in the Chair of the Conference at such a crucial stage in these negotiations. Today, however, it is not about these negotiations that I wish to speak. Rather, it is about cooperation in another field between the United Kingdom and another member of the Commonwealth, not one of the eight of us including Sri Lanka, whose new representative I join you in welcoming most warmly, who are members of the Conference on Disarmament.

I am pleased to announce that, as part of a wider programme of cooperation on seismological research, the United Kingdom and the Kingdom of Swaziland have agreed to become working partners in the Ad Hoc Group of Scientific Experts to Consider International Cooperative Measures to Detect and Identify Seismic Events. This partnership will begin at the next session of the Ad Hoc Group from 27 July to 7 August, when we will table a joint paper analysing seismograms recorded from 1973-1976 during the operation of a temporary seismic station in the Kingdom of Swaziland.

This agreement coincides with an offer of practical assistance from the United Kingdom with the establishment of a seismic station in the Kingdom of Swaziland. The United Kingdom looks forward to close cooperation on seismological research with the Kingdom of Swaziland, and believes the establishment of a seismic station in the Kingdom of Swaziland will make a valuable contribution to the work of the Ad Hoc Group by developing the network of seismic stations in the Southern Hemisphere.

The PRESIDENT: I thank the representative of the United Kingdom for his statement and for the kind words addressed to the Chair. I now give the floor to the representative of Sweden, Ambassador Hyltenius.

Mr. HYLTENIUS (Sweden): Mr. President, before turning to the main topic of my statement, I should like to extend to you the warm congratulations of my delegation and myself, on your assumption of the Presidency of this Conference. Although our two countries are very far apart in a geographical sense, they are close in their views on many issues, including the questions on disarmament. We have enjoyed an excellent cooperation over the years and you, yourself, Mr. President, have played a prominent role in this context. I am sure that your experience and professional skill will prove to be great assets for the CD at this crucial stage of its work. May I also take this opportunity to express our great appreciation for the highly professional manner in which your predecessor, Ambassador García Moritán, discharged his duties as President of this Conference. I welcome very warmly the new representative of Sri Lanka, Ambassador Gonnetilleke, in our midst. We look forward very much to cooperating with him and I should also like to extend our good wishes to his predecessor, Ambassador Rasaputram, for his future activities.

The Conference on Disarmament is now embarking on the third and last part of its 1992 session. The coming weeks may prove to be decisive for the Conference in many respects, depending on whether we will be able to conclude the negotiations on a Chemical Weapons Convention in a successful manner. Such a Convention will be a major achievement for the multilateral efforts in the area of arms limitation and disarmament. It will strengthen international peace and security, and it will demonstrate the feasibility of the multilateral negotiating approach in this vital field of international relations. A failure, in its turn, would be extremely harmful both to the security situation and to the multilateral efforts in this area. Other, less comprehensive and cooperative, approaches will probably then be pursued in order to deal with some of the threats which face the international community and which have to be addressed as a matter of urgency. This goes both for chemical weapons and for other pressing issues which are, or should be, inscribed on the agenda of the Conference on Disarmament.

Unilateral and partial solutions to problems of a global nature would not be in the interest of anyone, and especially not the smaller and weaker members of the international community. It is of vital importance to stand up for the multilateral, cooperative approach and to help it succeed by being constructive.

Whatever the outcome of the decisive efforts which will be undertaken in the next few weeks, it will be necessary to take a fresh look at the agenda and programme of work of the Conference, its membership and other related issues. The agenda of the CD and its methods of work are at least partly a child of the cold-war era and predicated on the, in that situation, rather remarkable consensus achieved at the first special session on disarmament in

(Mr. Hyltenius, Sweden)

1978. We are now facing a radically different, but not necessarily less complicated, international situation, and this calls for new thinking and new initiatives.

It is high time that we start an exchange of views on these matters so that the Conference can embark on a new start in the coming year. My statement today is intended to contribute to such an exchange.

There seems to be a widespread and growing feeling in the Conference that the negotiations on the Chemical Weapons Convention have now reached a stage where they have become a question of now or never. After so many years of concerted efforts and painstaking negotiations there is little or nothing that can realistically be done in order to advance the negotiations further. The issues are well defined and the positions well known. The Chairman's text (CD/CW/WP.400/Rev.1) represents an honest and reasonable compromise product, and Ambassador von Wagner and his delegation deserve great appreciation for their work. However, document CD/CW/WP.400/Rev.1 goes very far in meeting the demands of those who do not wish to see an intrusive verification regime. This is a source of grave concern to my delegation, because it means that the effectiveness of the proposed verification regime has diminished, and thereby the trust that a State Party may have in the compliance of all other States Parties with the provisions of the Convention. It has always puzzled my delegation that certain countries seem to regard themselves as being always either on the defensive, and subject to verification, or on the offensive, in the form of a challenging State. If we want to have a balanced system, we must face ourselves in both roles.

Sweden for its part has never subscribed either to the slogan of "anytime-anywhere" or to the more recently emerging tendency of "hardly anytime or anywhere". It is obvious that all States Parties have a strong interest in being able to have trust in the effectiveness of the verification of compliance of all Parties with the provisions of the Convention. Furthermore, it is obvious that most, if not all, countries have military or industrial secrets which are unrelated to the forthcoming CW Convention and which they have a legitimate right to protect. It should also be obvious that the inspectors cannot be regarded as potential spies in the secret service of any other State Party. They will be international civil servants operating under defined mandates and under the authority of the Organization. Further attempts to weaken the inspection and other verification arrangements are therefore neither advisable nor acceptable.

A success in the chemical weapons negotiations will set the stage for a new era in the history of multilateral negotiations on arms limitation and disarmament. It would also provide a positive and much needed impetus for the efforts to seek solutions at the negotiating table to problems which face the entire international community. Such an approach is, in the view of my country, much preferable to unilateral measures and partial solutions. This is in fact true for all global issues, and not least for those which relate to international peace and security.

(Mr. Hyltenius, Sweden)

In spite of several serious shortcomings in the text, Sweden is, in the spirit of compromise and in the interest of promoting consensus and universal adherence, prepared to accept document CD/CW/WP.400/Rev.1, provided it is not changed in a manner that would further undermine the verification regime.

The Conference on Disarmament has been established to respond to the need for a truly multilateral negotiating forum. If it did not exist, it would immediately be invented. But as it does exist, it must also live up to reasonable expectations of the international community, otherwise its existence may even be called into question.

It has been said that the dialogue on topical security issues which has been going on continuously in the CD over the years, in spite of the ups and downs in the super-Power relationship and the international situation, has a value in itself. This is certainly true, but this fact alone is hardly enough to justify the existence of the Conference. It is therefore of vital importance that the Conference adapt itself to the radical political changes which have taken place in the last few years and the new threats and possibilities which are emerging in this new situation. The CD should also endeavour to contribute to changing the international situation by new initiatives and concrete agreements that will help relax tensions and lead to a safer world. It is true that disarmament may come about as a result of the relaxation of tensions, but it is also true that arms races in themselves contribute to creating tensions and a worsening of the international climate, and that the limitation and reduction of armaments can have the opposite effects. The Conference should thus not just wait for the international situation to improve, it should also contribute to such a change.

One of the first requirements for the relevance and effective functioning of the Conference is that its agenda should be topical and that there should be a preparedness on the part of all the members of the Conference to deal with the issues in a pragmatic and serious manner. We have seen too much of procedural wrangling over the years. It sounds like a truism to say that a negotiating forum should negotiate. However, as we all know, this is not evident as far as the CD is concerned. This is not only, or even primarily, a question of the formulation of mandates. In practice, it is often difficult to judge where in an incremental process towards an agreement the negotiation phase actually starts. In view of this, the formulation of mandates takes a disproportionate amount of our time and attention. Experience shows that once a negotiating process has started, nobody pays any attention to the formulation of the mandate in question. If there is a will to negotiate and reach agreement on an issue, progress will be achieved, if no such will is at hand there will be no progress, irrespective of the formulation of the mandate. It would, therefore, be a step forward if there were in the future to be less insistence on the particular formulation of mandates for ad hoc committees.

(Mr. Hyltenius, Sweden)

It would also be a step forward if the rule of consensus were to be applied in a more reasonable manner. It is, for example, not reasonable to use the rule of consensus to prevent the Conference from dealing with issues which the overwhelming majority of States in the international community wish to be addressed in a serious and constructive manner by the Conference on Disarmament.

A look at our traditional agenda illustrates how urgent it is for the CD to adjust itself to the new situation. From experience, gained during several years, we now know that some agenda items, at least in their present form, are less likely to receive adequate consideration in this Conference. Some have in fact been dealt with, but, regrettably, only minor results have so far been achieved within the framework of formal negotiating mandates.

In the view of my delegation, the agenda should be restructured in order to enable the Conference on Disarmament to work more effectively. We should identify issues of high political topicality and, perhaps, on some items, move from a general approach to more specific considerations.

Over the years, a nuclear test ban has had the first priority among the nuclear issues, at least on a more general political level. The ultimate goal seems to be shared by all States, but differences of opinion remain on the urgency of this matter.

The overwhelming majority of the Member States of the United Nations has repeatedly called on the Conference on Disarmament to substantively consider a comprehensive test ban. Last autumn, this world-wide opinion was clearly demonstrated by the massive support for the merged resolution on this issue (resolution 46/29) at the forty-sixth session of the General Assembly. Against this background it is obvious that the question of a nuclear test ban remains highly topical and that it should continue to be allocated a separate item on the agenda of the CD.

The structure of the agenda should not be rigid. If the Confernce should deem it necessary, it should be possible to deal with several subjects under the same agenda item, but in separate formats.

Let me give some examples.

Agenda item 2, "Cessation of the nuclear arms race and nuclear disarmament", and agenda item 3, "Prevention of nuclear war, including all related matters", served originally as focal points for a series of nuclear issues. But so far, there has been no systematic consideration of specific aspects. At best, the Conference has agreed to hold informal plenary meetings, where general positions have been stated and participation has declined.

In the absence of a consensus to re-establish an ad hoc committee to deal with the Comprehensive Programme of Disarmament it would, in our view, be preferable to deal with some elements envisaged in the Programme separately, without necessarily relating them to the overall concept.

(Mr. Hyltenius, Sweden)

It might prove useful to merge these three agenda items, together with others, into one, maybe with the title "Other nuclear issues and new types of weapons of mass destruction". Under such an agenda item, issues at present pertaining to agenda items 2 and 3, as well as items 6-8, could be taken up. The Conference would then have an opportunity to decide periodically what specific issues it would be most useful to address at a given time. This could include, inter alia, issues related to nuclear non-proliferation and nuclear-weapon-free zones, as well as negative security assurances, a matter which may assume increased importance in the coming years. Such an agenda item could also make room for consideration of the question of so-called "traditional" radiological weapons ("track A").

It may seem drastic to regroup, in one single stroke, more than half of the existing agenda items into only one. But an overall item for these issues would serve both to keep them on the agenda and to permit a more flexible way to deal with specific issues within the general framework.

Non-nuclear weapons of mass destruction should be dealt with under a separate agenda item. For the time being the Conference on Disarmament is, as far as such weapons are concerned, concentrating its attention on the on-going negotiations on a Chemical Weapons Convention. However, there are also other issues that may soon come up in the framework of this item. The Final Declaration of the Third Review Conference on the Biological Weapons Convention contains important steps towards an improved regime on biological weapons, and the first meeting of Governmental Experts here in Geneva took us further along the road towards a verification regime for the Convention. It is too early to predict the outcome of the work of the experts, but it should be kept in mind that it might provide a basis for negotiating a verification regime for the Biological Weapons Convention. If so, a formula should be found for dealing with this matter in the CD under the agenda item I have just referred to.

Regarding the question of the prevention of an arms race in outer space, limited aspects could be dealt with in a more concrete and specified manner. For the time being it seems most realistic to focus on confidence-building measures, including a code of conduct in outer space.

My delegation is aware that some delegations do not consider confidence-building measures to be a suitable topic for a disarmament forum, but it does not share this view. Experience from the CSCE process has clearly demonstrated the importance of confidence-building measures in the perspective of disarmament and arms limitation in the regional context. This is an issue which could be fruitfully pursued also within the global framework of this Conference.

Sweden's strong commitment to the prohibition of attacks against nuclear facilities is well known. The radio-active fall-out from the Chernobyl accident demonstrated the devastating effects which could be expected as a result of a conventional attack on a nuclear facility.

(Mr. Hyltenius, Sweden)

My delegation hopes that the time will soon come for a long-awaited break-through in the negotiations on a prohibition of attacks against nuclear facilities. This issue should form a separate agenda item, whereas radiological weapons in a more limited sense ("track A") could, as I previously mentioned, be dealt with under a new agenda item called "Other nuclear issues and new weapons of mass destruction".

The agenda item entitled "Transparency in armaments" should encompass conventional weapons as a first sub-item. Significant progress has been made in the last few years in the field of nuclear disarmament. It is now time to address in depth also the problems of excessive and destabilizing accumulations of conventional arms. Resolution 46/36 L of the United Nations General Assembly provides an important basis for such work.

The way in which the CD discharges its duties in this matter will have consequences for the credibility of and confidence in the Conference as the single multilateral disarmament negotiating forum. In the view of my delegation, the question would require the establishment of an ad hoc committee for its proper consideration.

As you may be aware, Mr. President, Sweden has proposed that the United Nations Disarmament Commission elaborate general guidelines on non-proliferation. It seems to my delegation that such guidelines would be useful for the work of the Conference on Disarmament as the problem of proliferation is likely to dominate security concerns in the coming decade and should therefore also have its proper place in the agenda of the CD.

The Conference, like its predecessors, was set up as a multilateral forum to be representative of the international community. Thus, the composition of the Conference has been revised several times in order to properly reflect new political realities. Now, once again the Conference has come to the crossroads where we need to re-examine the composition of the CD.

The present state of affairs, when a number of interested and well-qualified States are kept waiting for a decision on the membership issue, in some cases for more than 10 years, is simply not acceptable. This issue must now be seriously addressed and resolved.

In March 1991, Sweden, as President of the Conference, renewed efforts to resolve the pending issue of selecting new members of the Conference. Our efforts received strong support from individual delegations in the private consultations which were conducted on that occasion, but it became obvious that the time was not yet ripe for taking a decision as some delegations wanted to consider the matter further.

In view of the developments in international affairs which have taken place since then it seems that the time has come to seek a new approach.

(Mr. Hyltenius, Sweden)

As we all know, the CD has not for many years produced any new treaty in spite of its balanced composition and limited membership. The arguments for the virtues of balanced composition and limited size should therefore be taken with a grain of salt.

The world is changing and the issues are becoming more multifaceted. We must now get rid of restricted formulas that are designed to maintain a political balance that has become obsolete.

The old groupings seem to be about to dissolve. In the future the pattern of cooperation will probably be shifting depending on the issues. It is thus questionable whether it is meaningful to try to construct a new "equilibrium" in the Conference.

When it comes to the question of size, it is pertinent to note that the wide participation in the negotiations on the Chemical Weapons Convention has not been an obstacle. On the contrary, it has been an asset in the negotiations and should also enhance the chances of universal accession to the Convention.

Against this background it seems to be worth considering if the Conference on Disarmament should not be made open to all States which apply for membership, without discrimination. The number of participants would certainly increase, but there are reasons to believe that the increase would be rather modest.

The working methods of the CD should also be reconsidered. These methods are a remnant from an era characterized by East-West contention. We need new dynamic forms for consultations which do not stalemate positions. The end of the Cold War, as well as changes in the traditional groups and emerging new patterns of cooperation, call for a review of the present group system in the Conference. A development towards a new polarization in a North-South perspective would be highly deplorable and must be avoided.

Against the background of this reasoning, my delegation proposes that informal consultations start as soon as possible under the guidance of the President or the Secretary-General in order to elaborate proposals for an up-date and restructuring of the agenda of the Conference, for a reform of its working methods and for an expansion of its membership.

While it is necessary to address the questions of the agenda and the membership of the CD and its working methods, we must not permit the deliberations pertaining to these issues to hamper on-going substantive work and negotiations.

It is imperative to take our historic chance of concluding the negotiations on the Chemical Weapons Convention within the next few weeks. Looking further ahead, the recent momentous changes in world politics suggest that the prospects have improved for progress on a number of other issues.

(Mr. Hyltenius, Sweden)

We must take effective measures to fully utilize the inherent negotiating potentials of the Conference on Disarmament. As always, it is the security needs that bring about genuine work and real negotiations. The Conference should therefore concentrate on subjects having real prospects of effective negotiations and results.

The PRESIDENT: I thank the representative of Sweden for his statement and for the kind words he addressed to the Chair. I now give the floor to the representative of the Republic of Korea, Ambassador Park.

Mr. PARK (Republic of Korea): As this is my first intervention since your assumption of the presidency, let me begin by expressing my pleasure in seeing you preside over this important forum at a time when it enters a very crucial phase. During your term in office, I hope you will bring us to the end of our long negotiations on the Chemical Weapons Convention.

The Australian contribution to the CWC negotiations has justifiably been a subject of repeated commendation. As a President from a delegation with such a well-known reputation, I believe you will have a special sense of achievement as you see, under your presidency, the near completion of the Convention, a significant milestone in the history of the Conference on Disarmament. It is also in this context that my delegation as an observer State, has decided to make an intervention at this point.

The current revised text of the draft CWC (CD/CW/WP.400/Rev.1) is the outcome of tough negotiations, particularly in recent months. For this, I should say that we owe our deep gratitude to Ambassador von Wagner of Germany, the Chairman of the Ad Hoc Committee on Chemical Weapons, and his delegation, as well as moderators of the negotiating groups and many other delegations. Their devotion, creative ideas, and spirit of compromise made the draft text possible.

The Government of the Republic of Korea has reviewed the draft text carefully, and reached the conclusion that the present text is acceptable to us. While we believe that there may be room for improvement, our endorsement of the present text is based upon our observation that it represents the best possible compromise. Also, my delegation has no objection to efforts to improve that text by consensus.

It is our considered view that the current text, on many controversial points, has delicately harmonized different positions, and therefore any attempt to make major changes would, I am afraid, result in disrupting subtle balance, and would prevent us from completing our work this year. What makes us more apprehensive is that further changes might cause us to lose our momentum, and result in the decades-long negotiation dragging on without concrete prospects.

A fully satisfactory convention cannot be a realistic aim in this world of diverse national interests. The important thing is whether the draft

(Mr. Park, Republic of Korea)

reflects a reasonable degree of mutual concessions and balanced interests of all the members of the international community. Furthermore, it could be noted that some important parts of the Convention, such as industrial verification, are subject to re-examination after a certain period of time. We can better amend the text after a period of implementation.

Taking this opportunity, my delegation wishes to express the Republic of Korea's desire to play an active role in the implementation of the future Convention, as Korea has a major chemical industry. It is with this point in mind that my delegation attaches immense importance to the composition of the Executive Council. We are of the firm view that the purposes of the Convention will be best served when the Executive Council members from each geographical group, particularly those from the chemical industry, are chosen on the basis of objective criteria that assure maximum international acceptability and interregional consistency.

The Republic of Korea sincerely hopes that the future Convention will be universal. To be precise, we are happy to see all of our neighbouring countries joining the CWC, so that the East Asian region as a whole will put its strength together to eliminate one important category of weapons of mass destruction from the globe, and to verify compliance with various verification regimes including challenge inspections, thus reminding all the people in our region of the coming of the age of mutual confidence and better security.

The PRESIDENT: I thank the representative of the Republic of Korea for his statement and for the kind words he addressed to the Chair. That concludes the list of speakers that I have for today. Does any other representative wish to take the floor at this stage? I see none.

As usual, the Secretariat has distributed today the timetable for meetings to be held by the Conference and its subsidiary bodies next week. The timetable is only indicative and may be changed, if necessary. Indeed, we might need to do so, as we proceed with our consideration of the various sections of the draft report to the General Assembly of the United Nations. We have already advanced our work this week and I want to say that I am grateful for the assistance that I have received from all of you during our discussions last Tuesday. But there is still work to be done. This applies also to the subsidiary bodies, whose reports need to be adopted as soon as possible, with the exception of course of the Ad Hoc Committee on Chemical Weapons. If there is no objection, I shall consider that the Conference adopts the timetable.

It is so decided.

I give the floor to Ambassador von Wagner.

Mr. von WAGNER (Germany): Just on a point of order, the slots reserved for the Ad Hoc Committee on Chemical Weapons in this timetable we have just adopted on Monday, Wednesday and Friday of next week are without prejudice to the format in which these slots will be used. I just want to make sure that delegations understand that we shall decide probably this Friday in which format we shall use these slots which are simply reserved for the Ad Hoc Committee as such.

The PRESIDENT: I thank Ambassador von Wagner for his clarification and his information. Are there any other observations? I see none.

As announced at the beginning of this plenary meeting, the Conference will hold the last informal meeting on the substance of agenda item 2 immediately after the plenary. We shall later proceed to informal open-ended consultations, in this room and with interpretation services, to consider the draft annual report to the General Assembly.

May I also remind you that the Conference will hold an informal meeting, this afternoon at 3 p.m., on the request addressed to us by the General Assembly in its resolution 44/116 "O". In that connection, I wish to recall that we have agreed that non-members invited to participate in our work are also invited to participate in the informal meeting.

I have no other business and I shall now proceed to adjourn the plenary meeting. The next plenary meeting of the Conference on Disarmament will be held on Thursday, 30 July, at 10 a.m. The plenary meeting stands adjourned.

The meeting rose at 11.25 a.m.